

## Message Text

LIMITED OFFICIAL USE

PAGE 01 LIMA 07616 01 OF 02 251934Z

ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10

L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 HA-05 IO-13

TRSE-00 /075 W

-----111350 252003Z /21

R 251821Z AUG 78

FM AMEMBASSY LIMA

TO SECSTATE WASHDC 1581

USICA WASHDC

LIMITED OFFICIAL USE SECTION 1 OF 2 LIMA 7616

E.O. 11652: N/A

TAGS: SOPN, PE

SUBJECT: FURTHER REACTIONS TO NEW PRESS LAW

REF: LIMA 6523, LIMA 6705

1. SUMMARY: THE FORMER OWNERS AND PRINCIPAL COLLABORATORS OF LIMA'S MAJOR NEWSPAPERS, CONFISCATED BY THE GOP IN 1974 AND ADMINISTERED BY THE STATE SINCE THEN, HAVE ISSUED A JOINT DECLARATION SHARPLY CRITICIZING THE NEW JULY 18 PRESS LAW AS A QUADRUPLE VIOLATION OF CONSTITUTIONAL GUARANTEES. PROGRESS ON THE IMPLEMENTATION OF THE NEW LAWS HAS THUS FAR BEEN SLOW, WITH THE POSSIBILITY THAT DEFINITIVE ACTION ON THE STATUS OF THE PAPERS MAY BE DELAYED UNTIL THE INSTALLATION OF A CONSTITUTIONAL REGIME. END SUMMARY.

2. IN A PRESS CONFERENCE HELD AUGUST 23 (AND REPORTED BRIEFLY BY LIMA'S MAJOR DAILIES), THE FORMER OWNERS AND COLLABORATORS OF "EL COMERCIO," "LA PRENSA," "EXPRESO" AND "CORREO" CRITICIZED THE GOP'S JULY 18 PRESS LAW (REFTELS) IN THE NAME OF THE FORMER OWNERS OF THE 8 PAPERS TAKEN OVER BY THE GOP IN 1974. SPEAKING FOR THE 12 SIGNATORIES OF A JOINT DECLARATION RELEASED AT THE PRESS CONFERENCE, MANUAL ULLOA ELIAS (FORMER OWNER OF "EXPRESO")

LIMITED OFFICIAL USE

PAGE 02 LIMA 07616 01 OF 02 251934Z

AND BELAUNDE'S MINISTER OF ECONOMY AND FINANCE) CALLED ON THE CONSTITUENT ASSEMBLY TO REESTABLISH THE RULE OF LAW WITH REGARD TO THE CONFISCATED NEWSPAPERS. HE ALSO SAID THAT THE WORKERS OF THE GOP-CONTROLLED PAPERS ARE UNWILLING TO RISK THEIR SOCIAL BENEFITS (RETIREMENT, INDEMNIFICATION, ETC.) IN ORDER TO BECOME MINORITY SHAREHOLDERS IN THE REORGANIZED PAPERS, AS CONTEMPLATED BY THE NEW PRESS LAW. ULLOA DESCRIBED THE NEW LAW AS "CAPRI-

CIOUS AND UTOPIC," AND SAID THAT IT FAVORS CERTAIN INTERESTS IN A POSITION TO TAKE ADVANTAGE OF IT (E.E., THE POLITICAL PARTIES AND MONIED INTERESTS). HE ADDED THAT IF THE TRUE OBJECTIVE IS TO MAKE THE PAPERS REALLY REPRESENTATIVE OF PERUVIAN SOCIETY (VELASCO'S GOAL IN 1974), THERE ARE MANY OTHER WAYS TO DO SO THAT DO NOT INVOLVE ABUSES AND THE VIOLATION OF RIGHTS.

3. ALSO PRESENT AT THE PRESS CONFERENCE WERE:

--AURELIO MIRO QUESADA SOSA AND ALEJANDRO MIRO QUESADA GARLAND, FORMER MAJORITY SHAREHOLDERS OF "EL COMERCIO;"  
--MANUEL D'ORNELLAS SUAREZ, "EXPRESO'S" TOP COLUMNIST UNDER ULLOA, POLITICAL ADVISOR TO BELAUNDE'S ACCION POPULAR PARTY, WHO WAS EXILED BY VELASCO AND NOW PUBLISHES A POPULAR COLUMN IN THE BIWEEKLY MAGAZINE "CARETAS;"  
--ARTURO SALAZAR LARRAIN, PRE-1974 COLUMNIST FOR "LA PRENSA," EX-PRESIDENT OF THE MODERATE FACTION OF THE PERUVIAL JOURNALIST FEDERATION AND EX-CODIRECTOR OF THE RIGHTIST SEMI-WEEKLY "OPINION LIBRE;"  
--JUAN ZEGARRA RUSSO, ALSO POLITICAL COMMENTATOR AND ASSISTANT DIRECTOR FOR PRE-1974 "LA PRENSA;"  
--JACOBO REY ELMORE, FORMER EDITORIALIST FOR "LA PRENSA;" AND  
--ENRIQUE AGOIS, BROTHER-IN-LAW AND CONFIDENT OF THE FORMER OWNER OF "CORREO," LUIS BANCHERO ROSSI (MURDERED IN 1971).

4. OTHER SIGNATORIES OF THE JOINT DECLARATION WHO WERE NOT PRESENT AT THE PRESS CONFERENCE ARE:  
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 LIMA 07616 01 OF 02 251934Z

--PEDRO BELTRAN BALLEEN, FORMER PUBLISHER AND SHAREHOLDER OF "LA PRENSA," NEPHEW OF THE PAPER'S DIRECTOR AND ONETIME PRINCIPAL SHAREHOLDER PEDRO BELTRAN ESPANTOSO;  
--ORLANDO CERRUTI, ACCION POPULAR SUPPORTER AND SHAREHOLDER OF THE BANCHERO-OWNED "CORREO;"  
--GUIDO CHIRINOS LIZARES, EX-DIRECTOR OF THE BELTRAN-WOENED AFTER-NOON TABLOID "ULTIMA HORA" AND CONFIDENT OF PEDRO BELTRAN ESPANTOSO, EX-PRESIDENT OF THE PERUVIAN JOURNALISTS FEDERATION, EXILED BY VELASCO IN 1974 AND PRESENTLY DIRECTOR OF THE RIGHTIST SEMI-WEEKLY "OPINION LIBRE;" AND  
--FELIPE PARDO, EX-MANAGER AND MINOR SHAREHOLDER OF "LA PRENSA."

5. THE JOINT DECLARATION EXPANDS ON THE COMMENTS MADE BY MANUEL ULLOA, CALLING THE JULY 18 PRESS LAW A QUADRUPLE VIOLATION OF CONSTITUTIONAL GUARANTEES, I.E.,

--LIBERTY OF ASSOCIATION (LIMITING THE FORMER OWNERS TO A 25 PERCENT SHARE OF THE REORGANIZED PAPERS, THUS FORCING THEM TO ASSOCIATE WITH SHAREHOLDERS NOT OF THEIR CHOOSING);  
--INVIOABILITY OF PROPERTY (NO PROOF OF PUBLIC OR SOCIAL UTILITY AS JUSTIFICATION FOR EXPROPRIATION AND TO THIS DAY NO COMPENSATION);  
--PROTECTION OF INTELLECTUAL PROPERTY (THE ARGUMENT THAT THE PAPER'S LOGOTYPE IS AN INALIENABLE INTELLECTURAL AND MORAL VALUE);

AND

--FREEDOM OF THE PRESS (RESTRICTIONS ON THE REORGANIZATION OF THE PAPERS AND THE CREATION OF NEW ONES.

6. THE DECLARATION DEMANDS THAT THE STATE END THIS MULTIPLE VIOLATION OF CONSTITUTIONAL GUARANTEES, WHICH IT ALSO CHARACTERIZES AS AN ABUSE OF HUMAN RIGHTS AS DEFINED IN UN AND OAS DECLARATIONS. THE DECLARATION SAYS THAT THE COMPENSATION CALLED FOR BY THE NEW PRESS LAW IS EX-POST-FACTO, LATE, INEFFECTIVE AND TOO SMALL.

7. COMMENT: THE GOP-CONTROLLED PRESS CONTINUES TO DOWNPLAY OR IGNORE REACTION TO THE NEW PRESS LAW, AS EVIDENCED BY THE SCANT ATTENTION PAID TO THE PRESS CONFERENCE AND JOINT STATEMENT OF LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 LIMA 07616 01 OF 02 251934Z

INDIVIDUALS WHO ONCE CONTROLLED PERU'S CONSERVATIVE PRESS ESTABLISHMENT. BEFORE THE 1974 CONFISCATION A STATEMENT OF THIS IMPORTANCE WOULD HAVE DESERVED FRONT-PAGE ATTENTION. IN CONTRAST, "LA PRENSA'S" PRINCIPAL PAGE ONE HEADLINE ON THE DAY AFTER THE PRESS CONFERENCE DEALT WITH PERU'S RECENTLY ACQUIRED SELF-SUFFICIENCY IN NEWSPRINT. ONE OF THE SIGNATORIES OF THE JOINT DECLARATION, AURELIO MIRO QUESADA SOSA, TOLD THE AMBASSADOR RECENTLY THAT HE DOESN'T EXPECT EITHER THE CONSTITUENT ASSEMBLY (CONTROLLED BY APRA) OR THE PRESENT GOP TO SOLVE THE IMPASSE CREATED BY THE FORMER OWNERS' AND WORKERS' UNWILLINGNESS TO COOPERATE IN THE IMPLEMENTATION OF THE NEW LAW. MIRO QUESADA EXPECTS THAT ONLY A CONSTITUTIONAL GOVERNMENT CAN UNTIE THE GORDIAN KNOT CREATED BY VELASCO AND HIS LEFTIST ADVISORS.

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 LIMA 07616 02 OF 02 251923Z  
ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10  
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 HA-05 IO-13  
TRSE-00 /075 W  
-----111251 252005Z /21  
R 251821Z AUG 78  
FM AMEMBASSY LIMA  
TO SECSTATE WASHDC 1582

USICA WASHDC

LIMITED OFFICIAL USE SECTION 2 OF 2 LIMA 7616

8. THE FORMER OWNERS' PESSIMISM MAY BE JUSTIFIED, SINCE THE REGLAMENTO IMPLEMENTING THE NEW PRESS LAW HAS NOT YET BEEN PUBLISHED. THE WEEKLY MAGAZINE "EQUIS" SPECULATES IN ITS AUG 24 ISSUE THAT THE DELAY IS MOTIVATED BY A GOP DESIRE TO RETAIN CONTROL OF THE PAPERS FOR AS LONG AS POSSIBLE, WITHIN THE GENERAL TIME LIMITS STIPULATED BY THE JULY 18 LAW. "EQUIS" ALSO SPECULATES THAT THE CONSTITUENT ASSEMBLY WILL SOMEHOW INVALIDATE THE NEW LAW. DESPITE THE PESSIMISM EXPRESSED BY MIRO QUESADA, WE UNDERSTAND THAT THE COMMISSION CHARGED WITH ESTABLISHING THE PRESENT VALUE OF THE NEWSPAPERS HAS ALMOST FINISHED ITS WORK. ALTHOUGH PREVIOUS EVALUATIONS IN 1974 AND 1976 REPORTEDLY SHOWED THAT MOST OF THE PAPERS WERE DEEPLY IN DEBT, ACCORDING TO "EQUIS" THE COMMISSION HAS BEEN CHARGED WITH ESTABLISHING A POSITIVE NET WORTH. THIS WILL BE PARTICULARLY DIFFICULT IN THE CASE OF "OJO" AND "CORREO," BANKRUPT PAPERS WHOSE GOP-APPOINTED DIRECTORS HAVE ALLEGEDLY ALREADY TENDERED THEIR RESIGNATIONS.

9. OTHER REACTION TO THE NEW LAW HAS BEEN MIXED. SPEAKING BEFORE THE NATIONAL ASSOCIATION OF JOURNALISTS, LEFTIST WRITER, LEADER OF THE VANGUARDIA REVOLUCIONARIA AND UNSUCCESSFUL CANDIDATE FOR THE CONSTITUENT ASSEMBLY RICARDO LETTS COLMENARES SAID THAT THE JULY 18 LAW IS AN IMPROVEMENT OVER THE PREVIOUS SITUATION BUT IS STILL NOT AN IDEAL SOLUTION FROM THE POINT OF VIEW OF THE PRESS

LIMITED OFFICIAL USE

PAGE 02 LIMA 07616 02 OF 02 251923Z

WORKERS. HE ADDED THAT THE PRESENT SITUATION WAS A BREATHING SPACE THAT COULD ALLOW FUTURE PROGRESS IN MAKING THE NATIONAL PRESS TRULY REPRESENTATIVE. ON THE OTHER HAND, DR MARIO CASTRO ARENAS (EX-DIRECTOR OF PRE-1974 "LA PRENSA," EX-DIRECTOR OF "CORREO" AND THE MAGAZINE "WIE TE DIAS"), WHO IS VISITING HIS NATIVE PERU IN CONJUNCTION WITH THE VISIT OF VENEZUELAN FOREIGN MINISTER CONSALVI, CALLED THE NEW LAW A VIOLATION OF FREEDOM OF THOUGHT AND EXPRESSION. HE PRAISED THE LAW'S PROVISION THAT WORKERS MAY ACQUIRE SHARES IN THE REORGANIZED PAPERS, BUT ADDED THAT PRESENT ECONOMIC PROBLEMS WOULD MAKE SUCH PARTICIPATION IMPOSSIBLE.

DECONTROL FEB 25, 1979.

SHLAUDEMAN

LIMITED OFFICIAL USE

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** LAW, DECLARATION, NEWSPAPERS, PUBLIC ATTITUDES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 25 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978LIMA07616  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780349-0136  
**Format:** TEL  
**From:** LIMA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780824/aaaaatsd.tel  
**Line Count:** 217  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** b532105c-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION ARA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 4  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 LIMA 6523, 78 LIMA 6705  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 05 may 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** N/A  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1622765  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** FURTHER REACTIONS TO NEW PRESS LAW  
**TAGS:** SOPN, PGOV, PE  
**To:** STATE ICA  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/b532105c-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014